

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith, which place the application into condition for allowance.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 143-148 are currently pending. Claims 143 and 146 are independent.

II. REJECTIONS UNDER 35 U.S.C. §103

Claims 143-148 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 5,956,453 to Yaegashi et al. ("Yaegashi") in various combinations with:

U.S. Patent No. 5,148,154 to MacKay et al. ("MacKay"); and

U.S. Patent No. 5,537,528 to Takahashi et al. ("Takahashi").

Applicants respectfully traverse these grounds of rejection. As discussed below, Yaegashi is not prior art because the foreign priority date of the present application is prior to the U.S. filing date of Yaegashi.

Yaegashi is not prior art to the present application because Yaegashi has a U.S. filing date of **April 9, 1997** that is **after** Applicants' foreign priority date of **September 20, 1996**. Applicants may rely on their foreign priority date under 35 U.S.C 119(a) to establish a date of invention earlier than a reference that has a U.S. filing date that is later than Applicants' foreign priority date, even if the reference has a foreign priority date that precedes Applicants' foreign priority date. 35 U.S.C. 102(e)(2).

To overcome the rejection based upon Yaegashi, Applicants submit herewith a verified English translation of priority Japanese application 8-249381, filed in Japan on September 20, 1996. In the original Inventors' Declaration, Applicants asserted a claim of priority to this Japanese application. It is readily apparent that claims 143-148 find support in this priority application.

Accordingly, Applicants submit that Yaegashi is disqualified as prior art in a rejection under 35 U.S.C. 103(a). Thus, all of the outstanding rejections based upon combinations involving Yaegashi in the above-noted Office Action are overcome. Claims 143-148 were rejected only over combinations of patents involving Yaegashi.

As discussed in Applicants' reply to the October 4, 2005 Office Action, the present invention displays "the graphical user interfaces including a clip tree window for graphically displaying said tree structure for said plurality of clips; wherein said clip tree window displays a clip name for each clip in said tree structure indicating whether the clip is a material clip or a resultant clip." Claims 143 and 146. The clip tree window is shown in Figures 10-12 and described in the specification on pages 38-40. As shown in Figure 10, the tree structure of the present invention not only indicates the links between clips, but also displays the name of each clip which indicates whether the clip is a material clip (MC) or a resultant clip (FC).
(Specification page 75)

The present Office Action relies upon Yaegashi for teaching an editing system for editing clips including, as recited in independent claims 143 and 146, "link information indicating a tree structure for linking said plurality of clips in producing said edit resultant clip . . . said clip tree

window displays a clip name for each clip in said tree structure indicating whether the clip is a material clip or a resultant clip.” Takahashi and MacKay fail to add the element missing from Yaegashi. Because Yaegashi is disqualified as a reference, claims 143 and 146 (and claims dependent therefrom) should now be allowed.

In view of above statements, withdrawal of the rejection of claims 143-148 under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

Claims 143-148 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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